

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matters of)	
)	
2000 Biennial Regulatory Review --)	CC Docket No. 00-229
Telecommunications Service Quality)	
)	

**JOINT COMMENTS OF COMPETITIVE TELECOMMUNICATIONS
ASSOCIATION, E.SPIRE COMMUNICATIONS, INC., KMC TELECOM INC.,
XO COMMUNICATIONS, INC.; NET2000 COMMUNICATIONS, INC. AND Z-
TEL COMMUNICATIONS, INC. REGARDING NOTICE OF PROPOSED
RULEMAKING IN CC DOCKET NO. 00-229**

Genevieve Morelli
David C. Kirschner
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W.
Washington, D.C. 20036
(202) 955-9600
(202) 955-9782 (fax)

Dated: January 12, 2001

Attorneys for the Joint Commenters

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matters of)	
)	
2000 Biennial Regulatory Review --)	CC Docket No. 00-229
Telecommunications Service Quality)	
)	

By their attorneys and pursuant to the *Notice of Proposed Rulemaking* in CC Docket No. 00-229,¹ the Competitive Telecommunications Association (“CompTel”), e.spire Communications, Inc. (“e.spire”), KMC Telecom, Inc. (“KMC”), Net2000 Communications, Inc. (“Net2000”), XO Communications, Inc. (“XO”), and Z-Tel Communications, Inc. (“Z-Tel”) (hereinafter the “Joint Commenters”) hereby respectfully submit these comments. The Joint Commenters represent the interests of a wide range of competitive local exchange carriers (“CLECs”), as well as the leading industry association representing competitive carriers.²

I. INTRODUCTION

As part of its biennial review of its regulations, the Federal Communications Commission (“FCC” or “Commission”) issued a Notice of Proposed Rulemaking (“*NPRM*”) proposing to eliminate many of the service quality reports incumbent local exchange carriers

¹ 2000 Biennial Regulatory Review – *Telecommunications Service Quality Reporting Requirements*, CC Docket No. 00-229, Notice of Proposed Rulemaking, FCC 00-399, (rel. Nov. 9, 2000)(“*Reporting Requirements NPRM*”).

² CompTel is the leading industry association representing competitive telecommunications providers and their suppliers. CompTel’s 350 members provide local, long distance, international and enhanced services throughout the nation.

(“ILECs”) currently file with the FCC.³ The stated purpose of the *NPRM* is to reduce the regulatory burden on carriers while making the information reported more useful to end-user consumers and state and federal regulators. Specifically, the FCC proposed replacing today’s reporting requirements with six categories of measures: missed installations, installation intervals, trouble reports, out-of-service troubles, missed repair appointments, and repair intervals. The FCC also sought comments on several other modifications to its reporting requirements, including whether to change how such information is collected, the frequency of such reports, and how such data is reported to the public. Of special significance to the CLEC community and competition in general, the FCC also sought comment on whether to apply service quality reporting requirements to CLECs.

The Joint Commenters strongly oppose many of the proposals in the *NPRM*. If adopted, the proposals would reduce regulation on ILECs while increasing regulation on CLECs. Of specific concern to the Joint Commenters is the Commission’s suggestion that it might be appropriate to impose service quality reporting requirements on CLECs. As discussed below, the answer is a resounding no! If anything, a review of the state of competition in the local exchange market reveals that the Commission should institute additional reporting requirements for ILEC provision of Unbundled Network Elements (“UNEs”) and wholesale services to CLECs. Imposing additional service quality reporting requirements on ILECs will facilitate

³ *Reporting Requirements NPRM* at ¶¶ 1-2. The current service quality reporting requirements are contained in the FCC’s Automated Reporting Management System (“ARMIS”), 43-05 (“Service Quality”) and ARMIS 43-06 Reports (“Customer Satisfaction”). The current service quality reporting regime was implemented in, 1991 as part of the FCC’s transition to price cap regulation. As such all price-cap LECs, including those that elected such regulation, must submit quarterly service quality information. At the time of the regime’s implementation, the following carriers were required to file service quality reports: GTE, Ameritech, Bell Atlantic, BellSouth, NYNEX, Pactel, SWBT, and US West. Although the FCC adopted service quality reporting requirements, it did not adopt service quality standards. *Id.* at ¶ 2, 8-9.

competition by providing the Commission and state regulators with the information necessary to ensure that the ILECs are complying with Sections 251 and 252 of the Act. The Joint Commenters also are concerned that streamlining the ARMIS 43-05 Reports will deprive state and federal regulators, as well as competitors, of information necessary to determine whether ILECs are providing adequate service. Despite the Commission's tentative conclusion to the contrary, the Commission's original reasons for implementing these reporting requirements, has, for the most part, not changed.

II. THE COMMISSION SHOULD NOT IMPOSE REPORTING REQUIREMENTS ON CLECS

The Commission should not impose mandatory reporting requirements on CLECs. There are numerous reasons for not taking this step. First, most local exchange competitors are highly dependent on their largest competitors, ILECs, for critical inputs. As a result, CLECs have no control over how their competitors – the ILECs – provision such service. Having competitors report such performance allows the vertically-integrated incumbents to more fully realize the benefits of their existing incentives to degrade both the quality and quantity of service provided to their downstream rivals.⁴ Second, imposing reporting requirements on CLECs imposes an unnecessary and costly regulatory burden on their provision of local exchange service. Third, the number of “customers” that would benefit from such information is limited to the number of customers who have a choice in who provides their local exchange

⁴ For a general discussion of the ILEC's pre-existing incentives to discriminate against retail competitors see, Nicholas Economides, “The Incentive for Non-Price Discrimination by an Input Monopolist,” *International Journal of Industrial Organization* 16 (1998), 271-284. See also, Economides, “Raising Rivals’ Costs in Complementary Goods Markets: LECs Entering into Long Distance and Microsoft Bundling Internet Explorer (1998) available at <http://www.stern.nyu.edu/networks/site.html>.

service, *i.e.*, not many. Moreover, the type of customer that has choice, for the most part, already has a reasonable ability to determine whether it is receiving adequate service.

A. CLECs Depend on ILECs to Provide UNEs, Making Service Quality Reporting on the Part of CLECs Unnecessary and Misleading

1. Competitors are Dependant on ILECs for the Provision of Service

Competitors using UNEs or other wholesale services supplied by the ILECs are dependent on the ILECs for provisioning services to end users. As a result, metrics designed to capture the service quality performance of a CLEC would measure not only the performance of the CLEC but also the performance of the ILEC. Thus, it would be difficult, if not impossible, to determine whether bad performance on provisioning was the fault of the CLEC or the ILEC.

2. Because Competitors are Dependent on Incumbents, if the Commission Extends Reporting Requirements to CLECs, Incumbents Will Have a Greater Incentive to Provide Poor Service to Competitors

Because competitors are dependent on the performance of the incumbents, imposing service quality reporting requirements on CLECs would only serve to provide ILECs with greater incentive to provide competitors with bad service. Inferior wholesale provisioning by the ILECs would be reflected in the retail performance data filed by the competitors. ILECs would benefit from service quality problems that are attributed to the CLECs, but are actually caused by themselves, by being able to mislead consumers with claims of superior service quality. Imposing retail reporting requirements on competitors would provide incumbent wholesale monopolists with an even greater incentive to restrict output (through poor wholesale performance), while insulating them from the very competition that would create pressure to deliver superior service quality to consumers.

While the FCC might be concerned about which entity is truly at fault for a missed due date, customers would likely blame the CLEC. Generally there are two reasons why customers switch service from an ILEC to a CLEC: cost and service. If a CLEC fails to deliver on its promise of high quality service and/or low cost, customers will switch back to the incumbent.⁵ Unfortunately, when CLECs use ILEC network elements or other wholesale services, CLECs are dependent on the ILEC. The Commission appears to realize this problem. The Commission notes that “resellers and competitors that purchase network elements from an ILEC may have no control over the service quality of the resold service or the purchased elements, which may impact their service to retail customers.”⁶

In the NPRM, the Commission asks how the service quality measures can “take into account problems due to the conduct of the incumbent so that consumers would receive an accurate picture of the service quality provided by different carriers.”⁷ However, the Commission has acknowledged that this is extremely difficult. It notes “that in the section 271 context, the issue of whether disparities in performance are due to conduct of the [Bell operating company] or competitors has been a fact-intensive, highly contested issue.”⁸ Because the Commission may be unable to determine whether the service quality information filed by CLECs reflects the CLECs’ provision of service or the ILEC’s provision of service to its competitor, it should refrain from imposing reporting requirements in CLECs. The inability to determine and

⁵ See, e.g., Simon Romero, *D.S.L. Service for Linking to Internet is Problem Ridden*, N.Y. Times, December 28, 2000 (available at <http://www.nytimes.com/2000/12/28/technology/28PHON.html>) (discussing customer frustration with service problem involving XO and Verizon and how such problems might steer such customers to DSL service provided by the ILEC.) (“I have such a bad taste in my mouth after dealing with these people,” [i.e., the competitors] she said, ‘I never want to give any of them another cent.’”)

⁶ *Reporting Requirements NPRM* at ¶ 32.

⁷ *Id.*

remove incumbent LEC-caused delays also makes CLEC performance results of questionable value for determining how well a CLEC provides service.

3. Because CLECs Are Dependent on ILECs, the Commission Should Expand Reporting Requirements to Include Incumbent Provisioning of UNEs and Other Wholesale Services

The fact that CLECs are dependent on ILECs to provide UNEs and other wholesale services necessary for CLECs to compete, explains why the Commission should extend its current reporting requirements to cover ILEC provisioning of such facilities and services. Without this information the FCC will be unable to determine whether the ILECs are complying with the market-opening provisions of Section 251(c) of the Act,⁹ and the rules the Commission has adopted to implement these requirements. Bringing this information to light will enable federal and state regulators to enforce the applicable laws. This, in turn, will help ensure that the ILECs comply with the requirements of the Act. The result will be greater competition leading to lower rates, new and innovative services, and significantly, improved service quality. The Joint Commenters respectfully urge the Commission to take further action in CC Docket No. 98-56¹⁰ to enact wholesale service quality reporting that will enhance competition by enabling the regulators to enforce the market-opening provisions of the Telecommunications Act of 1996.

⁸ *Id.*, n.35.

⁹ 47 U.S.C. § 251(c).

¹⁰ *Performance Measurements and Reporting Requirements for Operations Support Systems, Interconnection, and Operator Services and Directory Assistance*, Notice of Proposed Rulemaking, 13 FCC Rcd 12817 (1998).

B. Imposing Reporting Requirements on CLECs is Not Deregulatory and Will Impose an Unnecessary and Costly Regulatory and Administrative Burden on Their Provision of Local Exchange Service

Imposing reporting requirements on CLECs would not be deregulatory and would only increase expense and impose significant regulatory and administrative burdens on these carriers. The Commission has repeatedly stated that in the “1996 Act,” Congress established a ‘pro-competitive, deregulatory national policy framework’ for telecommunications, designed to open all telecommunications markets to competition so as to make advanced telecommunications and information technologies and services available to all Americans.”¹¹ To the contrary, imposing reporting requirements on CLECs would have little to no pro-competitive effect. Imposing reporting requirements on CLECs would add regulatory burdens and additional expense to the provisioning of competitive services. The Commission is aware that CLECs have not been required to collect or submit such information in the past.¹² Imposing reporting requirements now would force CLECs to collect data they do not ordinarily collect, and organize that data according to FCC rules. Implementing these requirements would be time-consuming and expensive, disproportionately impacting smaller carriers. At the very least, the time and effort used to collect and submit this data would divert resources from other for more productive efforts, such as competing with the incumbent.

¹¹ See, e.g., *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Order on Reconsideration and Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147 and Fifth Further Notice of Proposed Rulemaking CC Docket No. 96-98, 2000 FCC LEXIS 4208 ¶ 8 (2000)(quoting Joint Statement of Managers, S. Conf. Rep. No. 104-230, 104th Cong. 2d Sess. 1 (1996)).

¹² See *Reporting Requirements NPRM* at ¶ 29.

Moreover, this *NPRM* is only the latest in a series of attempts by the Commission to subject competitors to greater and greater reporting requirements.¹³ Such piecemeal implementation of additional regulations on competitive carriers, while most likely to escape substantial scrutiny, also imposes the greatest expense on competitors. This is because each time the FCC imposes new data collection and reporting obligations on competitors, those carriers must modify their companies' management information systems to collect and retain new data. These modifications would be most efficient if implemented in a once and for all fashion rather than incrementally as the Commission has decided to impose them.

C. The Premise on Which the Commission Bases its Proposals – That the Local Exchange Market is Competitive – is Incorrect

The Commission appears to make its proposals based on the idea that the local exchange market is competitive;¹⁴ this premise is incorrect. The Commission believes “that if consumers had access to service quality data from all carriers providing local exchange service in their area, they would be in a better position to make an informed choice between, or among, carriers.”¹⁵ The only way that quality service measures can benefit consumers is if they have a choice of local exchange carriers and the reported data accurately reflects the competitor's performance. One of the goals of the Commission's proposals is to make the reported information more consumer-friendly.¹⁶ But, if consumers do not have a choice of service

¹³ See *Broadband Reporting NPRM*, CC Docket 99-301, as well as the *NPRM* in CC Docket No. 00-199, where the Commission suggested expanding the reporting requirements under the broadband reporting program established in 99-301.

¹⁴ *Reporting Requirements NPRM* at ¶¶ 1, 10, 11 (“We believe this new initiative will give consumers more of the tools they need to actively participate in a competitive marketplace.” *Id.* at ¶ 1).

¹⁵ *Id.* at ¶ 29.

¹⁶ *Id.* at ¶ 11.

providers, there is no purpose in collecting such information and making it available to consumers. Moreover, as discussed above, the information that CLECs would provide would not be useful to consumers because it would reflect ILEC as well as CLEC performance. As a result, imposing reporting requirements on CLECs is, at best, premature.

Finally, the Commission's comparison to the airline industry is inapposite, not only because of competitors' lack of control over their retail service quality, but also because of the high degree of product differentiation in the telecommunications industry. While all airline passengers are trying to get from one place to another as quickly and safely as possible, telecommunications customers, particularly business customers, have needs as varying and diverse as the number of telecommunications providers. This diversity, while certainly a benefit of competition, renders attempts to promote "apples to apples" service comparisons often meaningless.

D. The Commission Should Not Seek Voluntary Service Quality Reporting

Voluntary service quality reporting, while perhaps important in a competitive market, is unnecessary at this time. The local exchange market currently is not competitive. Because the local exchange market is not yet competitive, information that might be helpful to consumers in a competitive market will serve little useful purpose today. Indeed, in a market where competition is nascent, requesting competitors to voluntarily provide such information could hurt competition. If the FCC encourages CLECs to voluntarily file data and they decide not to, the ILECs might represent to end users that the failure to file indicates that a CLEC cannot provide adequate service in the same time frame as the ILEC. Furthermore, as discussed above, CLEC provisioning is largely dependent on the service received from ILECs. As such, ILECs control the timeliness and quality of service that competitors can provide their end users.

Further exacerbating the problem is the fact that competitors' volumes are lower than the ILECs. As a result, a few lengthy ILEC delays could skew CLEC data in a manner that shows the CLECs in a light that is unfair and misleading. Nevertheless, if the FCC feels compelled to take some action to impose reporting requirements on CLECs, voluntary reporting is much more appropriate than mandatory reporting.

III. THE COMMISSION SHOULD MAINTAIN ITS CURRENT REPORTING REQUIREMENTS AND EXTEND THEM TO INCLUDE THE PROVISIONING OF WHOLESALE FACILITIES AND SERVICES TO CLECS

A. The Lack of “Meaningful Economic Competition” in the Local Exchange Market Precludes the Commission from Invoking Section 11 to Modify or Repeal ARMIS Reporting Requirements

The Commission proposes to “streamline” the ARMIS reporting requirements pursuant to Section 11 of the Act, however, given the current state of competition, Section 11 does not provide the Commission with the authority to repeal or modify the ARMIS reporting requirements. Section 11 requires the FCC to conduct a biennial review in every even-numbered year. It requires the FCC to review all of the regulations issued under the Act and “determine whether any such regulation is no longer necessary in the public interest *as the result of meaningful economic competition between providers of such service.*”¹⁷ The Commission is then required to repeal or modify those regulations that it determines are no longer necessary.¹⁸ The Commission cannot conclude that there is “meaningful economic competition between providers of” local exchange service. At best, it can conclude that there are two states where the local exchange market has begun to be opened to competition – New York and Texas. Only the BOCs in those two states have been found to comply with the requirements of Section 271 of the Act.

¹⁷ 47 U.S.C. § 161(a) (emphasis added).

In the vast majority of states, the BOCs – all of which are required to file ARMIS reports – have not even attempted to show that they are in compliance with the requirements of Section 271 of the Act. Because Section 271 requires a showing that the BOC is providing “interconnection in accordance with the requirements of section 251(c)(2) and 252(d)(1),”¹⁹ and “[n]ondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1),”²⁰ the BOCs must show that they are in compliance with the market opening provisions of Section 251(c)²¹ before they can obtain permission to provide in-region interLATA services pursuant to Section 271.²² The fact that, to date, the BOCs have only obtained Section 271 authority in two states and have applied for such authority in a few other states, indicates that even they do not believe the local exchange market is open and competitive.²³ By their own actions, the BOCs demonstrate that there is not meaningful economic competition between providers of local exchange service, save, perhaps, in New York and Texas.²⁴ Therefore the conditions for repealing and/or modifying regulations pursuant to Section 11 of the Act have not been met.

¹⁸ 47 U.S.C. § 161(b).

¹⁹ 47 U.S.C. § 271(c)(2)(B)(i).

²⁰ 47 U.S.C. § 271(c)(2)(B)(ii).

²¹ *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd 3696, 3699, ¶ 3 (1999) (“*UNE Remand Order*”).

²² *See* 47 U.S.C. § 271(b)(1).

²³ If the BOCs were in compliance with the requirements of Section 251(c), there is little doubt that they would apply for Section 271 authority to provide in-region, interLATA services.

²⁴ The Commission should note that the Joint Commenters did not and do not agree with the FCC’s decision to provide Bell Atlantic and SBC with the authority to provide in-region InterLATA service in New York and Texas.

B. The ARMIS Reporting Requirements Serve a Useful and Necessary Purpose

1. CLECs Rely on ARMIS Reports to Prevent ILECs from Providing Discriminatory Service

The ARMIS 43-05 Report is important to competitors because both local exchange and interexchange competitors purchase critical services from the ILECs that are subject to reporting requirements. For example, competitors purchase special access services from the ILECs. If the ILECs are relieved of this obligation, it will be even more difficult for competitors to receive quality wholesale service, because competitors will be even less able to demonstrate to regulators when they are receiving inferior service and provide ILECs with even more incentive to discriminate in their provision of services to competitors. The competitive industry relies on these reporting requirements to help prevent the ILECs from discriminating in providing services vital to competition. Moreover, as the BOC's obtain additional Section 271 authority to provide in-region interLATA services, their incentive, if not their ability, to discriminate against both local and long distance competitors increases. Wholesale performance reporting is an essential means for regulators to continue to monitor competition at these vulnerable stages. Therefore ARMIS 43-05 should be retained. ARMIS Report 43-05 should therefore be retained.

2. ARMIS Reports are as Vital to Ensuring Service Quality as They Were When They Were First Adopted In Areas Without Competition

In areas where there is no competition in the local exchange market, the ARMIS reports are as useful and necessary today as they were when they were first adopted. The current system of reports was adopted as part of the Commission's transition to price cap regulation.²⁵

²⁵ *Reporting Requirements NPRM* at ¶ 8.

The purpose of these reports was to ensure that price cap LECs “would maintain a high level of service quality and to allow for a full evaluation of these carriers under price cap regulation.”²⁶

The reports capture trends in service quality and infrastructure development.²⁷ Part of the reason for such reporting is to ensure adequate service quality is not being sacrificed to cross-subsidize other non-regulated activity. Such information would seem to be extremely valuable to the FCC and the state commissions. For example, only a few months ago state commissions in the former Ameritech region found that service quality had fallen to such a low level that several state commissions fined SBC, Ameritech’s new owner.²⁸ One of the reasons SBC was able to degrade service quality in Ameritech’s region without suffering competitive harm was because there were very few customers who had the opportunity to switch to an alternative provider. In the absence of a competitive market, there were no market forces to discipline SBC’s action in the Ameritech region. Without state intervention SBC could have continued to degrade service for its end-users while leveraging the savings it accrued by degrading the service to cross-subsidize other services where it faced competition.

IV. CONCLUSION

For the foregoing reasons, the Joint Commenters request that the Commission not impose reporting requirements on CLECs. The Joint Commenters also request that the Commission not streamline its current reporting requirements. Instead, the Joint Commenters

²⁶ *Id.* (citing *Policy and Rules Concerning Rates for Dominant Carriers*, Memorandum Opinion and Order, 6 FCC Rcd 2974, 2994-95, ¶¶ 50-51 (1991)).

²⁷ *Reporting Requirements NPRM*, at ¶ 8.

²⁸ *See, e.g.*, Kemper, Kevin, *Ameritech Ordered to Pay More Fines*, Dayton Business Journal at <http://www.bizjournals.com/dayton/stories/2000/10/02/daily24.html> (last visited January 12, 2001); Van, Jon, *Ameritech Service Woes “Drastically Worse”*, Chicago Tribune, at

request that the Commission extend its reporting requirements to report how ILECs provision UNEs and other wholesale services to CLECs. By maintaining the current reporting requirements and expanding them to cover incumbent provisioning of UNEs and other wholesale services, the Commission will build upon the pro-competitive deregulatory policies it has attempted to implement in CC Docket No. 96-98 and other related dockets.

Respectfully submitted,

By: _____
Genevieve Morelli
David C. Kirschner
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W.
Washington, D.C. 20036
(202) 955-9600
(202) 955-9782 (fax)

Attorneys for the Joint Commenters

COMPETITIVE TELECOMMUNICATIONS
ASSOCIATION
1900 M Street, N.W., Suite 800
Washington, D.C. 20036

E.SPIRE COMMUNICATIONS, INC.
133 National Business Parkway
Suite 200
Annapolis Junction, MD 20701

KMC TELECOM INC.
1755 North Brown Road
Lawrenceville, GA 30043

XO COMMUNICATIONS, INC.
1730 Rhode Island Avenue, NW, Suite 1000
Washington, D.C. 20036

Net2000 COMMUNICATIONS, INC.
2180 Fox Mill Road
Herndon, VA 20171

Z-TEL COMMUNICATIONS, INC.
601 S. Harbour Island Blvd.
Suite 220
Tampa, FL 33602

<http://www.chicagotribune.com/business/businessnews/article/0,2669,SAV-0009270189,FF.html> (last visited January 12, 2001).

I.	INTRODUCTION	1
II.	THE COMMISSION SHOULD NOT IMPOSE REPORTING REQUIREMENTS ON CLECS.....	3
A.	CLECs Depend on ILECs to Provide UNEs, Making Service Quality Reporting on the Part of CLECs Unnecessary and Misleading.....	4
1.	Competitors are Dependant on ILECs for the Provision of Service	4
2.	Because Competitors are Dependent on Incumbents, if the Commission Extends Reporting Requirements to CLECs, Incumbents Will Have a Greater Incentive to Provide Poor Service to Competitors	4
3.	Because CLECs Are Dependent on ILECs, the Commission Should Expand Reporting Requirements to Include Incumbent Provisioning of UNEs and Other Wholesale Services.	6
B.	Imposing Reporting Requirements on CLECs is Not De-regulatory and Will Impose an Unnecessary and Costly Regulatory and Administrative Burden on Their Provision of Local Exchange Service.....	7
C.	The Premise on Which the Commission Bases its Proposals – That the Local Exchange Market is Competitive – is Incorrect.....	8
D.	The Commission Should Not Seek Voluntary Service Quality Reporting.	9
III.	THE COMMISSION SHOULD MAINTAIN ITS CURRENT REPORTING REQUIREMENTS AND EXTEND THEM TO INCLUDE THE PROVISIONING OF WHOLESALE FACILITIES AND SERVICES TO CLECS.	10
A.	The Lack of “Meaningful Economic Competition” in the Local Exchange Market Precludes the Commission from Invoking Section 11 to Modify or Repeal ARMIS Reporting Requirements	10
B.	The ARMIS Reporting Requirements Serve a Useful and Necessary Purpose.	12
1.	CLECs Rely on ARMIS Reports to Prevent ILECs from Providing Discriminatory Service.	12
2.	ARMIS Reports are as Vital to Ensuring Service Quality as They Were When They Were First Adopted In Areas Without Competition.....	12
IV.	CONCLUSION	13